



General Assembly

February Session, 2006

Raised Bill No. 5465

LCO No. 1178

01178_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING DNA TESTING AND THE DNA DATA BANK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 54-102g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2006*):

4 (g) Any person who refuses to submit to the taking of a blood or
5 other biological sample pursuant to this section shall be guilty of a
6 class [A misdemeanor] D felony.

7 Sec. 2. Subsection (a) of section 54-102j of the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective*
9 *October 1, 2006*):

10 (a) It shall be the duty of the Division of Scientific Services within
11 the Department of Public Safety to receive blood or other biological
12 samples and to analyze, classify and file the results of DNA
13 identification characteristics profiles of blood or other biological
14 samples submitted pursuant to section 54-102g, as amended by this
15 act, and to make such information available as provided in this section.

16 The results of an analysis and comparison of the identification
 17 characteristics from two or more blood or other biological samples and
 18 information concerning the existence of data in the data bank shall be
 19 made available directly to federal, state and local law enforcement
 20 officers upon request made in furtherance of an official investigation of
 21 any criminal offense. A request may be made by personal contact, mail
 22 or electronic means. The name of the person making the request and
 23 the purpose for which the information is requested shall be maintained
 24 on file with the division.

25 Sec. 3. Subsection (a) of section 54-102m of the general statutes is
 26 repealed and the following is substituted in lieu thereof (*Effective*
 27 *October 1, 2006*):

28 (a) There is established a DNA Data Bank Oversight Panel
 29 composed of the Chief State's Attorney, the Attorney General, the
 30 Commissioner of Public Safety, [and] the Commissioner of Correction
 31 and the executive director of the Court Support Services Division of
 32 the Judicial Department, or their designees. The Chief State's Attorney
 33 shall serve as chairperson of the panel and shall coordinate the
 34 agencies responsible for the implementation and maintenance of the
 35 DNA data bank established pursuant to section 54-102j, as amended by
 36 this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	54-102g(g)
Sec. 2	<i>October 1, 2006</i>	54-102j(a)
Sec. 3	<i>October 1, 2006</i>	54-102m(a)

Statement of Purpose:

To increase the penalty for refusing to submit to the taking of a DNA sample, require information concerning the existence of data in the DNA data bank be disclosed to law enforcement officers upon request and include a representative from the Judicial Department on the DNA Data Bank Oversight Panel.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]